

REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the language.

Claims 1-55 are pending in the application. Acknowledgement of the allowability of claims 5-8, 29-40 and 42 is noted with appreciation. The amendments to claims 1 and 4 find support in the specification at page 13, lines 17-26 and at page 19, lines 15-21. Claims 29 and 41 have been amended to stand as independent claims. The other claims have been amended to improve the language in a non-narrowing fashion.

No new matter is believed to have been added to the application by this amendment.

Rejection Under 35 USC § 112, Second Paragraph

Claims 29-41 have been rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectfully traversed.

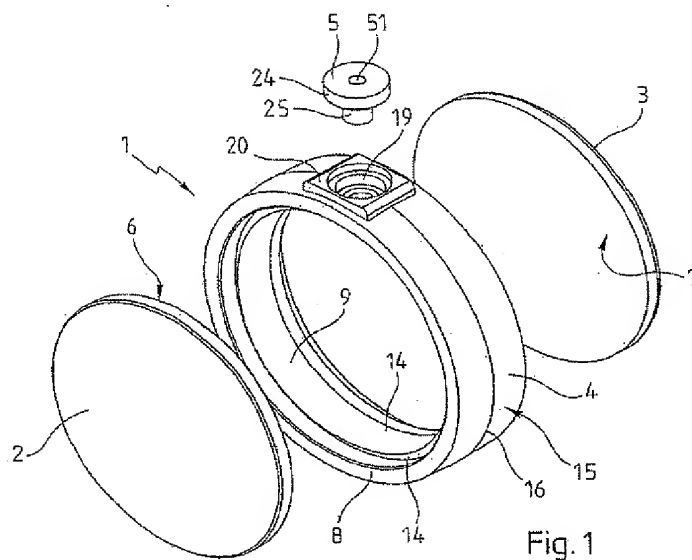
The Official Action asserts that device claims 29 and 41 should be rewritten as independent claims incorporating the recitations of the base method claims. The comments in the Official Action have been considered, and claims 29 and 41 have been amended to be clear, definite and have full antecedent basis.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejections Under 35 USC §103(a)

Claims 1, 9-17, 41 and 43-48 have been rejected under 35 USC §103(a) as being unpatentable over SLYK in view of MATOS et al. Claims 2, 4, 8-24, 26-28 and 49-55 have been rejected under 35 USC §103(a) as being unpatentable over SLYK, MATOS et al. and SAROFEEEN. These rejections are respectfully traversed.

The present invention pertains to obtaining an optical lens and joint using a mold that is illustrated, by way of example, in Figure 1 of the application reproduced below.

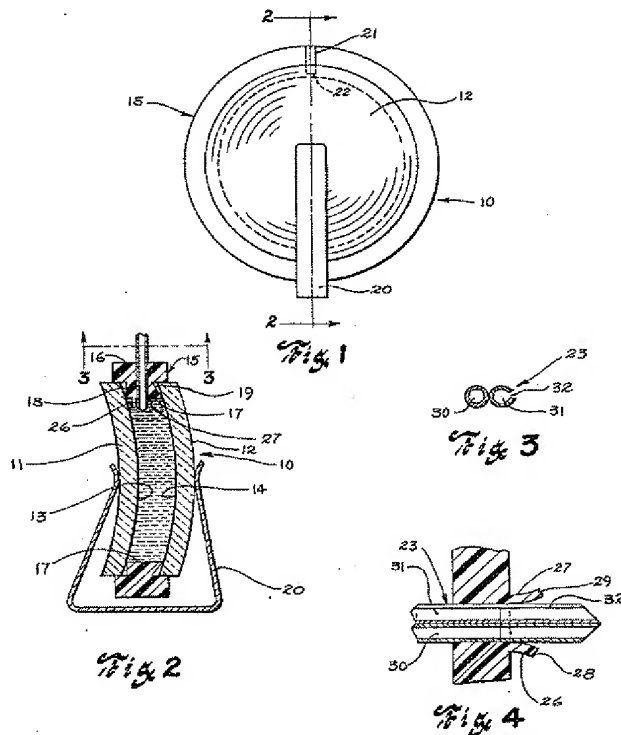


Amended independent claims 1 and 41 each set forth that an external mechanical force moves the shells toward each other and produces a compression of the seal providing a seal (tightness) between the seal (gasket) and the shells. That is,

the "seal" 4 of the present invention can also be considered a gasket or a joint.

Amended claim 1 additionally sets forth that both the step of applying **and the step of releasing** this force occur **before** the step of polymerizing the material filling the molding cavity.

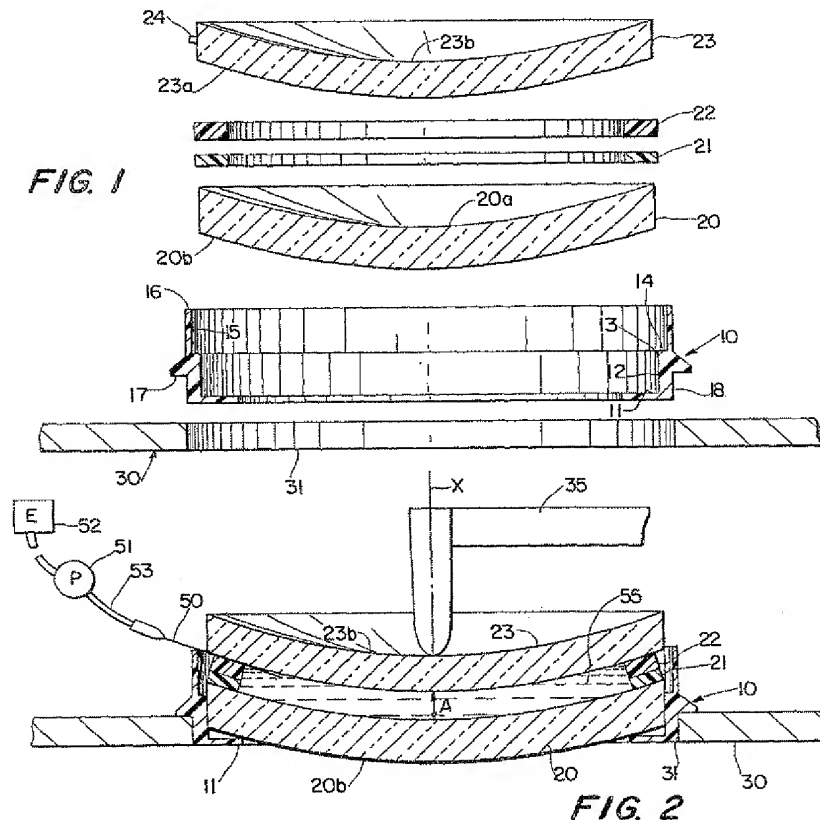
SLYK pertains to an optical lens. The Official Action refers to Figure 4 of SLYK. Figures 1-4 of SLYK are reproduced below.



As can be seen, force is applied by a spring 20 in SLYK. In contrast, the present invention utilizes an external mechanical force to move the shells toward each other to produce a tight seal between the seal (gasket) and the shells.

SLYK additionally fails to teach releasing the force occurs before the step of polymerizing the material filling the molding cavity.

MATOS et al. pertain to molding optical lenses. Figures 1 and 2 of MATOS et al. are reproduced below.



The Official Action explains that MATOS et al. teach applying force to the molding shells 20 and 23 located in a nest structure 30 to ensure that the shells and polymerizable material stay in intimate contact during curing - and shrinkage - of the material.

In MATOS et al., there is no step of releasing the force applied by claim arm 35 before the polymerizing step. Instead, MATOS et al. teach to maintain the force applied by arm 35 during the polymerization step, as has been acknowledged in the Official Action.

MATOS thus teaches away from the present invention.

SAROFEEEN fails to address the deficiencies of SLYK and MATOS et al. discussed above.

One of ordinary skill and creativity would thus fail to produce a claimed embodiment of the present invention from a knowledge of SLYK and MATOS et al., or SLYK, MATOS et al. and SAROFEEEN. A *prima facie* case of unpatentability has thus not been made.

These rejections are believed to be overcome, and withdrawal thereof is respectfully requested.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statement filed September 7, 2004 and for making an initialed PTO-1449 Form of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

The rejections are believed to have been overcome, obviated or rendered moot and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Robert E. Goozner, Reg. No. 42,593
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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